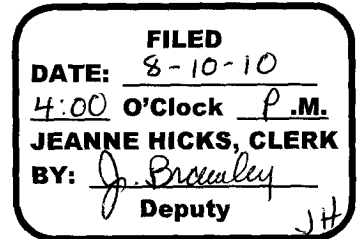


IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI



DIVISION PRO TEM B
HON. WARREN R. DARROW
CASE NO. V1300CR20108 0049

JEANNE HICKS, CLERK
BY: J. Brawley, Deputy Clerk
DATE: August 10, 2010

TITLE:
STATE OF ARIZONA,

(Plaintiff)

v

JAMES ARTHUR RAY,

(Defendant)

COUNSEL:

Yavapai County Attorney (via OnBase)
By Sheila Polk / Bill Hughes/ Steven Sisneros

(For Plaintiff)

Thomas K. Kelly (e)
(Co-Counsel for Defendant)
Luis Li / Brad Brian / Truc Do
MUNGER TOLLES & OLSON LLP
355 South Grand Avenue Thirty-Fifth Floor
Los Angeles, CA 90071-1560

(Co-Counsel for Defendant, *Pro Hac Vice*)

| HEARING ON: | NATURE OF PROCEEDINGS | COURT REPORTER |
|----------------------------------|-----------------------|----------------|
| STATUS / HRG RE: PENDING MOTIONS | | Mina Hunt |

START TIME: 1:38 p.m.

APPEARANCES. Sheila Polk, Counsel for State
Luis Li, Co-Counsel for Defendant *Pro Hac Vice*
Truc Do, Co-Counsel for Defendant *Pro Hac Vice*

The Defendant's presence is waived. Counsel Li apologizes to the Court as he failed to file a written request to waive Defendant's presence today. The Court would like to have the request and Counsel will comply

The Court would like to address the following motions: The request by Defendant to Change the Place of Trial; Requests for records relating to the medical examiners and a Motion in Limine regarding financial records

Counsel Li indicates that he intends to file the reply regarding the Motion in Limine for financial records.

Court and Counsel briefly discuss the jury selection process.

Motion for Change of Place or Venue is argued and submitted.

The Court takes the issue under advisement.

Request for Records Relating to the Medical Examiners is argued and submitted.

The Court takes the issue under advisement.

The Court has reserved three full days on November 9th, 10th and 16th, 2010 subject to both sides having witnesses available. Court will begin on 9:00 a.m. each day until 5:00 p.m. at which time the Court will address any and all pending motions or issues.

Time is excluded

The Court confirms the existing conditions of release.

Counsel Li advises he has been contacted by the media regarding the Defendant's Motion to Compel which is not currently available on the public website. The State's opposition and the Defendant's reply are available but not the Motion to Compel so Counsel requests that the motion be made available to the press and a declaration and the pages that are not stricken should be made public.

State objects and argues that some of the declarations are voluminous and contain personal information.

IT IS ORDERED the Motion to Compel will be made public

Court and Counsel discuss the voluminous declarations filed by the Defense.

Counsel Do indicates the defense is willing to withdraw 66,67 & 68 attached to declaration but all others should remain

Counsel Li argues that some of today's discussion is in fact part of the documents. Counsel suggests the Defense could re-file a new document that does not include some of the information but does not want to withdraw any documents.

Counsel for the State further argues the State's position and refers to exhibit 48 which contains the Defendant's date of birth as well as his social security number which is the defendant's document. Counsel requests the documents not be made public.

Counsel Li requests that the documents be made public.

The Court will look through the documents to make a determination as to whether the documents should be made public and will notify the parties of the Court's decision.

End Time 3.05 p.m.

cc: Gallagher & Kennedy, P.C., Counsel for Shore Family (e)
Murphy Schmitt Hathaway & Wilson, PLLC, Co-Counsel for Brown Family (e)
Stone & Magnanini, Co-Counsel Brown Family, 150 John F. Kennedy Pkwy, 4th Floor, Short Hills, NJ 07078
Aspey Watkins & Diesel, P.L.L.C., Counsel for Neuman Family (e)
Steptoe & Johnson, Counsel for KPNX Broadcasting Company (e)
Perkins, Coie, Brown & Bain, Counsel for KTVK-TV, 2901 N. Central, Suite 2000, Phoenix AZ 85012-2788

Victim Services (e)
Division PT-B (e) w/ files (under advisement)
Court Administration
Jeanne Hicks, Clerk of Court
Customer Service Supervisor, Verde